

ATTACHMENT - REMARKS

By this Amendment, some minor changes have been made in the specification. In the claims, independent claim 1 has been amended for clarity and to better define the invention. Other dependent claims have also been amended for better conformance with US practice and/or for clarity; while other claims have been canceled including non-elected claims 32-40. It is submitted that the present application is in condition for allowance for the following reasons.

Initially it will be noted that the specification has been revised to delete references to the claims therein since those references are not preferred in US practice and most are no longer appropriate in any event.

In the *Claim Rejections - 35 USC § 112* section of the outstanding DETAILED ACTION, independent claim 1 and various dependent claims were all rejected as being indefinite. By this Amendment, the listed claims have been suitably amended to overcome the noted issues in a self-evident manner. In addition, various dependent claims have also been amended for better clarity and to delete the "such as" recitations provided therein which are generally not desired in US practice. It will be appreciated that some of the deleted subject matters of claims 2-4, 12, 18-19, 21-23, 27, and 31 are now found in respective new dependent claims 41-51. In view of the claim amendments made, it is submitted that all of the pending claims are definite so that the rejection under § 112 should now be withdrawn.

In the *Claim Rejections - 35 USC § 103* section, independent claim 1 and dependent claims 2-31 were all rejected under 35 USC § 103 as being obvious over

Furuya in view of Bezzola. However, for the following reasons, it is submitted that these claims are all allowable over this combination of references.

Furuya discloses a mould having a main body 10 comprising a porous structure with steel balls 12 having open spaces between them. The steel balls 12 are mutually connected and cooperating with the evacuating bores 20 of the surface layer 5 for evacuating the mould. However, nowhere in Furuya is there disclosed any kind of substantially airtight structure, be it part of the support structure or the air-drainage system. Such an airtight structure as now more particularly claimed in amended independent claim 1 provides the potential advantage of reducing the pressure in the air-drainage system in order to promote air drainage through the air-permeable surface member, an advantage which is not disclosed or made obvious with the mould of Furuya.

While Furuya does indicate use of vacuum (column 6, line 48 and column 7, line 5), it is nowhere mentioned where the necessary air-tight construction is positioned. In particular, it is not as claimed in independent claim 1, i.e., separating the support structure and the air-drainage system. With this separation as claimed, it is evident to those of ordinary skill that the volume of the air-drainage system to be evacuated can be minimized by not also comprising parts of the support structure.

Bezzola describes a composite tool having a metal surface for vacuum forming. The support structure for this tool surface is provided in the form of a porous layer, and the complete support structure is surrounded by an impervious covering in order to enable evacuation of the support structure and subsequently evacuating air from the tool surface. In contrast to the present invention, the support structure 18 of Bezzola is

part of the drainage system, whereas the support structure of the present invention is separated from the air-drainage system by an air-tight structure positioned either as part of the support structure surface towards the air drainage system or as part of the air drainage system positioned towards the support structure as claimed in independent claim 1. Although Furuya indicates the use of the mould for vacuum or press-forming, most of the document actually focuses on the press-forming and accordingly, the evacuation of air from the mould surface could be considered to be drainage of air, i.e. without using vacuum for accelerating such drainage of air. Thus, the teachings of Bezzola do not overcome the deficiencies of Furuya as noted above.

Therefore, for all of the foregoing reasons, it is submitted that amended independent claim 1 is not made obvious by a combination of Furuya and Bezzola so that claim 1 is now allowable. For these same reasons, it is submitted that remaining dependent claims 2-25, 27-29, and 31 are likewise allowable; and new dependent claims 41-51 are also likewise allowable.

For all of the foregoing reasons, it is submitted that the present application is in condition for allowance and such action is solicited.

Respectfully submitted,

Date: November 25, 2009

/Douglas E. Jackson/

Signed By
Attorney of Record

Name: Douglas E. Jackson
Registration No.: 28,518

STITES & HARBISON PLLC ♦ 1199 North Fairfax St. ♦ Suite 900 ♦ Alexandria, VA 22314
TEL: 703-739-4900 ♦ FAX: 703-739-9577 ♦ CUSTOMER NO. 881